

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JNM TECHNOLOGY LLC and NODIR
TURDIMATOV,

Plaintiffs,

No. 24 Civ. 267 (JPO)

v.

UNITED STATES CITIZENSHIP AND
IMMIGRATION SERVICES; UR M. JADDOU,
Director of U.S. Citizenship and Immigration
Services, in her official capacity; UNITED
STATES DEPARTMENT OF STATE; ANTONY
BLINKEN, Secretary of State, in his official
capacity; ROBERT ROMANOWSKI, Consul,
Consular Section, U. S. Embassy-Tashkent, U.S.
Department of State, in his official capacity;
CONSULAR OFFICERS, U.S. Embassy-
Tashkent, U.S. Department of State, in their
official capacities,

Defendants.

STIPULATION AND ORDER OF SETTLEMENT AND DISMISSAL

WHEREAS, in August 2023, U.S. Immigration and Customs Enforcement (“USCIS”)
revoked the Petition for a Nonimmigrant Worker (“Form I-129”) that had been submitted by
plaintiff JNM Technology LLC (“JNM”) and previously approved by USCIS in September 2022;

WHEREAS, plaintiff Nodir Turdimatov, Chief Executive Officer of JNM (together with
JNM, “Plaintiffs”), submitted requests (the “Requests”) pursuant to the Freedom of Information
Act (“FOIA”), 5 U.S.C. § 552, to USCIS and the U.S. Department of State (“State Department”)
(together, the “Agencies”) in connection with said revocation;

WHEREAS, on January 12, 2024, Plaintiffs filed a complaint in this action against the
Agencies in which Plaintiffs challenge USCIS’s revocation of the Form I-129 and also assert
FOIA claims against USCIS and the State Department;

WHEREAS, the Agencies produced responsive records to Plaintiffs after conducting searches in connection with the Requests and processing the records located for responsiveness and exemptions;

WHEREAS, Plaintiffs do not seek to challenge any of the withholdings in the redacted records and the parties agree that the State Department's and USCIS's responses in litigation satisfy their obligations under FOIA regarding the Requests; and

WHEREAS, the only outstanding issue in this case is Plaintiffs' claim for attorneys' fees and costs, and the parties wish to resolve that claim and dispose of this matter without further litigation,

NOW, THEREFORE, it is hereby STIPULATED and AGREED between the parties as follows:

1. As soon as reasonably practicable, the each of the Agencies shall individually pay Plaintiffs one thousand seven hundred and fifty dollars and zero cents (\$1,750.00), for a total sum of three thousand five hundred dollars and zero cents (\$3,500.00), in full and final satisfaction of any claim by Plaintiffs for attorneys' fees and litigation costs in this matter. Payment shall be made by electronic funds transfer, and Plaintiffs' counsel will provide the necessary information to counsel for the Agencies to effectuate the transfer.

2. Plaintiffs release and forever discharge all named defendants, including the Agencies' officers, employees, servants, and agents, from any and all claims and causes of action that Plaintiffs asserted, or could have asserted, in this litigation arising out of the Requests.

3. This action is accordingly dismissed with prejudice and without costs or fees other than as provided in paragraph 1 of this Stipulation and Order, provided that the Court shall retain jurisdiction for the purpose of enforcing this Stipulation and Order and resolving any issues that might arise relating to such enforcement.

4. Nothing in this Stipulation and Order shall constitute an admission that the Agencies are liable for any attorneys' fees or litigation costs. This Stipulation and Order is entered into by the parties solely for the purpose of compromising disputed claims in this case and avoiding the expenses and risks of further litigation concerning Plaintiffs' claim for attorneys' fees and litigation costs. This Stipulation and Order is non-precedential with respect to any other proceeding involving the parties, including, but not limited to, any other FOIA action or administrative proceeding, and shall have no effect or bearing on any pending or future request for records made by Plaintiffs under FOIA.

5. This Stipulation and Order contains the entire agreement between the parties, and no statement, representation, promise, or agreement, oral or otherwise, between the parties or their counsel that is not included herein shall have any force or effect.

6. This Stipulation and Order may be executed in counterparts. Facsimile or pdf signatures shall constitute originals.

Dated: New York, New York
October 7, 2024

MCCANDLISH HOLTON

By: 
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Attorney for Plaintiffs
SO ORDERED.

Dated: New York, New York
October 7, 2024

DAMIAN WILLIAMS
United States Attorney

By:


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Attorney for Defendants


J. PAUL OETKEN
United States District Judge

October 9, 2024